

Message Text

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ACTION EA-12

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C O R R E C T E D C O P Y F O R P A R A F O U R

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TAGS: SHUM RP

SUBJECT: MARCOS DROPS CHARGES AGAINST 199 PEOPLE, INCLUDING NINE PRIESTS AND TWO NUNS

1. SUMMARY. MARCOS ORDERED MILITARY AUTHORITIES JUNE 16 TO DROP CHARGES OF REBELLION, SEDITION AND INCITING TO SEDITION IN THREE CASES AGAINST TOTAL OF 199 PERSONS, INCLUDING NINE PRIESTS AND TWO NUNS. FATHERS EDICIO DE LA TORRE AND EMMANUEL NABAYRA ARE THE ONLY TWO OF THIS GROUP KNOWN TO BE DETAINED AT PRESENT. 122 ARE KALINGA-APAYAO NATIVES CHARGED IN THE CHICO RIVER DAM CONTROVERSY; 51, INCLUDING SEVEN PRIESTS (THREE OF THEM AMERICANS) AND ONE NUN, WERE CHARGED WITH AIDING COMMUNIST INSURGENTS IN DAVAO; AND 26, INCLUDING TWO PRIESTS (ONE AMERICAN) AND ONE NUN, WERE INVOLVED IN BISHOP CLAVER'S NEWSLETTER AND RADIO STATION IN BUKIDNON. THE PRESS RELEASE MAINTAINED THERE WAS EVIDENCE OF "CULPABILITY," BUT CHARGES WERE BEING DROPPED "IN THE SPIRIT OF COMPASSION AND RECONCILIATION." END SUMMARY.

2. ACCORDING TO JUNE 17 MANILA DAILIES, PRIME MINISTER

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MARCOS JUNE 16 ORDERED CHARGES OF REBELLION, SEDITION AND INCITING TO SEDITION DROPPED AGAINST 199 RESPONDENTS IN THREE CASES. THOSE INVOLVED INCLUDE NINE CATHOLIC PRIESTS AND TWO NUNS. PRESS REPORTS, APPARENTLY BASED ON A DEFENSE MINISTRY PRESS RELEASE, NOTE THAT MARCOS "ISSUED THE DIRECTIVE IN THE SPIRIT OF COMPASSION AND RECONCILIATION TO HELP UNIFY THE NATION, DESPITE THE EXISTENCE OF PRIMA

FACIE FINDINGS OF CULPABILITY AGAINST THEM."

3. LARGEST GROUP IS 122 ETHNIC KALINGA-APAYAO WHO WERE ACCUSED OF SEDITION IN A CONFRONTATION WITH CONSTABULARY MAY 15, 1976, TO PREVENT NATIONAL POWER CORP PERSONNEL FROM CONDUCTING A WATER-LINE SUEVEY FOR THE PROPOSED CHIC RIVER IV DAM.

4. SEVEN PRIESTS, ONE NUN AND 43 OTHERS WERE ACCUSED OF "RISING PUBLICLY AND TAKING UP ARMS AGAINST THE GOVERNMENT" IN THE DAVAO AREA OF SOUTHERN MINDANAO BETWEEN LATE 1972 AND DECEMBER 1976.

5. TWO PRIESTS, A NUN AND 23 OTHERS IN BUKIDNON PROVINCE OF CENTRAL MINDANAO (BISHOP CLAVER'S DIOCESE) WERE CHARGED WITH "INCITING TO SEDITION BY USING MEDIA FACILITIES SUCH AS A RADIO STATION AND A NEWSLETTER."

6. PRIESTS LISTED IN PRESS REPORT (WITH NOTES FROM 1976 CATHOLIC DIRECTORY) ARE: FATHERS EMMANUEL NABAYRA (DIOCESAN PRIEST, TAGUM, DAVAO DEL NORTE), RUBEN BIRONDO (DIOCESAN PRIEST, TAGUM), JACK (JOHN D.) WALSH (MARYKNOLL FATHER, TAGUM), JAMES TRAVIS (MARYKNOLL FATHER, TAGUM), WALTER MAXCY (MARYKNOLL FATHER TAGUM), EDICIO DE LA TORRE (NOT LISTED -- SEE BELOW), JOSE T. SISON (DIOCESAN PRIEST, TAGUM), AGUSTIN NAZARENO (JESUIT, MALAYBALAY, LIMITED OFFICIAL USE

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BUKIDNON -- DIOCESAN MEDIA DIRECTOR), AND JOSEPH STOFFEL (JESUIT, MALAYBALAY -- FORMER DIOCESAN RADIO STATION DIRECTOR). THE THREE MARYKNOLL FATHERS AND FR. STOFFEL ARE AMERICAN CITIZENS. THE TWO NUNS ARE SISTERS MARIA LOQUIAS AND MARY REGINA PIL (NOT LISTED).

7. NABAYRA AND DE LA TORRE ARE THE ONLY TWO OF THESE RELIGIOUS KNOWN TO BE IN DETENTION AT PRESENT. ACCORDING TO CHURCH DATA, NABAYRA WAS ARRESTED NOVEMBER 19, 1976, AND DE LA TORRE, WHO APPEARS TO BE ONLY marginally RELATED TO THE OTHERS (BUT DID PARTICIPATE IN THE 1976 DAVAO "PELOTA COURT HEARING" ALONG WITH NELIA SANCHO, WHO WAS RELEASED LAST WEEK), WAS ARRESTED DECEMBER 13, 1974. DE LA TORRE IS THE MAIN RESPONDENT IN A SEPARATE CASE. PRESS REPORTS DO NOT SPECIFICALLY STATE THEY WILL BE RELEASED FROM DETENTION OR THAT POSSIBLE OTHER CHARGES WILL ALSO BE DROPPED. THE OTHER RELIGIOUS, EXCEPT FOR STOFFEL AND SISTER MARIA LOQUIAS, ARE LISTED ON PUBLISHED CHARGE SHEETS ACCUSING THEM OF SEDITION AND INCITING TO REBELLION AND/OR REBELLION AND INCITING TO SEDITION DATED DECEMBER 1976 AND JANUARY 1977 (SEE APPENDICES B AND C OF INTERNATIONAL COMMISSION OF

JURISTS' REPORT OF AUGUST 1977).

8. EMBASSY WILL TRY TO GET MORE INFORMATION DURING NEXT
FEW DAYS AND WILL REPORT FURTHER. MURPHY

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